

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARY COLLEEN WEILAND,

Plaintiff,

v.

MICHAEL J. SCULLY, M.D., and
JANE DOE SCULLY, his wife;
BROOKS WATSON II, M.D., and
JANE DOE WATSON, his wife;
KENNEWICK PUBLIC
HOSPITAL DISTRICT, d/b/a
KENNEWICK GENERAL
HOSPITAL, a municipal
corporation; KADLEC MEDICAL
CENTER, a nonprofit Washington
corporation,

Defendants.

NO. CV-07-5042-RHW

**ORDER GRANTING
STIPULATION**

Before the Court is the parties' Stipulation for Dismissal of Kadlec Medical Center without Prejudice and that Plaintiffs May Refile an Amended Complaint Adding Kadlec Medical Center without the Necessity of a Motion (Ct. Rec. 35). This motion was heard without oral argument. The parties have agreed to dismiss Defendant Kadlec Medical Center without prejudice. Kadlec Medical Center also agrees to waive the 90-day notice requirement provided by RCW § 7.70.100 in regards to a new complaint. The parties consequently also agree that Plaintiff may file an amended complaint without filing a motion for leave to do so. This Court finds the parties' agreements reasonable.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulation for Dismissal of Kadlec Medical Center without

ORDER GRANTING STIPULATION * 1

1 Prejudice and that Plaintiffs May Refile an Amended Complaint Adding Kadlec
2 Medical Center without the Necessity of a Motion (Ct. Rec. 35) is **GRANTED**.

3 2. Defendant Kadlec Medical Center is **DISMISSED** from this action
4 **without prejudice**.

5 3. Plaintiff has leave to file an amended complaint without further motion to
6 this Court.

7 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
8 Order and forward copies to counsel.

9 **DATED** this 4th day of January, 2008.

10 *s/ Robert H. Whaley*

11 ROBERT H. WHALEY
12 Chief United States District Judge

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